

Affidavit of
Inability to Pay

~~James Joseph Smith~~
~~Chris Robert~~, sui juris

State of Texas, ex rel

v.

Randy Watkins,

J. Thomson,

S. Murray,

DJ Scott,

M. King,

Aisha Saleem,

Terry Means,

Jeffery Cureton,

John McBryde,

Angela Saad,

Simon Gonzalez

et al

) IN THE _____ DISTRICT COURT

) OF TARRANT COUNTY TEXAS

)
) CAUSE 348 273458 14

)

)

) AGGRIVATED BURGLARY OF A HABITAT,

) AGGRIVATED KIDNAPPING, AGGRIVATED

) OFFICIAL OPPRESSION, PERJURY OF OATH

) PROMOTION OF CHILD PORNOGRAPHY,

) VIOLATION OF PUBLIC TRUST, FALSE SWEARING,

) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS,

) DEFAMATION, SLANDER, RACKETEERING, AGGRIVATED

) ASSAULT WITH A DEADLY WEAPON, LIBEL, TRESPASS,

) CONSPIRACY.

)

) et al, Ongoing Crimes

)

) PLAINTIFF'S ORIGINAL COMPLAINT

)

) Demand for trial by Jury in court of Constitutional

) Due Process

THOMAS A. WILDER
DISTRICT CLERK

2014 AUG -1 P 2:49

FILED
TARRANT COUNTY

I Hereby swear before God that all statements are truthful, sworn testimony, as set forth herein.

FACTS

This cause arises from an ongoing conspiracy and Racketeering ring which is comprised of multiple individuals who are included in this cause and many more who have yet to be determined. The names of the Co-Conspirators in this cause are Randy Watkins (Hereinafter "Watkins"), J. Thomson (Hereinafter "Thomson"), S. Murray (Hereinafter "Murray"), DJ Scott (Hereinafter "Scott"), M. King (Hereinafter "King"), Simon Gonzalez (Hereinafter "Gonzalez"), Aisha Saleem (Hereinafter "Saleem"), Terry Means (Hereinafter "Means"), Jeffery Cureton (Hereinafter "Cureton"), John McBryde (Hereinafter "McBryde") and Angela Saad (Hereinafter "Saad").

1. On the tenth day of the seventh month of this year of our Lord two thousand and twelve, Watkins, Thomson #2148, and Murray #3508, gained forcible entry into Plaintiff's home located at Eight Thirty Three, Hallvale Drive, Fort Worth, Republic of Texas, [76108] by use of an alleged "search warrant". This alleged "search warrant" was void due to the fact that it was signed by Gonzalez, a member of the criminal conspiracy to commit Aggravated Burglary of a Habitat as well as Aggravated Official Oppression, Promotion of Child Pornography, Racketeering, Fraud, Trespass, and Intentional Infliction of Emotional Stress on Plaintiffs.

2. Watkins, Thomson, and Murray went to Gonzalez where they formed their plan to forcibly hold Plaintiffs family hostage as they robbed Plaintiffs of their property, mainly twelve computers which belonged to Plaintiff's family and were inside the Plaintiff's home. Gonzalez is a key participant in the Unlawful Conspiracy and Racketeering scheme as his signature is needed on these fraudulent "search and seizure" warrants in order for the Conspiracy to evolve beyond his role. Gonzalez is a foreigner who represents a foreign corporation that has taken over his court room and usurped the power of Gonzalez's office. Gonzalez, if he were a Lawful, Constitutionally authorized judge for the Plaintiff State of Texas then he would not have violated his oath by using his office to commit crimes against the both Plaintiff ^{Smith} ~~Robert~~ and Plaintiff State of Texas. "Qualified immunity defense fails if public officer violates clearly established right because a reasonable competent official should know the law governing his conduct." Jones v Counce, 7 F3d 1359, (8th Cir 1993); Benitez v Wolff, 985 F3d 662 (2nd Cir. 1993)

3. Gonzalez's role propels this conspiracy to the next level by signing fraudulent "search and seizure warrants" that allow broad spectrum seizure of "ANY and ALL" items such as Plaintiff ^{Smith's} ~~Robert's~~ computers when said search warrants, if valid, would clearly state, with specificity, the exact files which were to be searched on the computers. Therefore, one can clearly see Gonzalez's clear intention and wilful participation in this Conspiracy and Racketeering scheme. Gonzalez's criminal acts extinguished any and all immunities and protections afforded to Judges. "Officers of the court have no immunity,

when violating a Constitutional right, from liability for they are deemed to know the law." Owens v. City of Independence, 100 S.Ct. 1398, 445 US 622 (1980); "The Constitution of these United States is the supreme Law of the land, Any law that is repugnant to the constitution is null and void." Marbury v. Madison, 5 US 137; "The court is to protect against any encroachment of constitutionally secured liberty." Boyd v. United States, 116 US 616; "No act of Congress which is repugnant to the Constitution can become Law." Marbury v. Madison, 5 US 137; "State Judges, as well as federal, have the responsibility to respect and protect persons from violations of federal constitutional rights." Gross v. State of Illinois, 312 F.2d. 257 (1963)

4. Watkins, Thomson, and Murray committed Perjury of Oath by executing what they knew or reasonably should have known, was a fraudulent "search and seizure" warrant. The alleged "search and seizure" warrant was drawn up by Watkins yet is in direct contravention to the Constitution of the Republic of Texas and the Constitution Plaintiff State of Texas. An alleged "search and seizure" warrant which fails to be accompanied by a "search warrant" affidavit when executed, is void if the alleged "search warrant" fails to specify which items in specificity, which are to be searched and seized. Watkins further violated his Oath and committed Perjury of Oath by filling out a sworn affidavit in which he was not an injured party and there failed to be an injured party who was also the complaining party. The Texas Constitution states specifically that no warrant shall issue, except by indictment. The Texas Code of Criminal Procedure is written so as to inform that no action shall commence except through a Verified Sworn Criminal Complaint by the injured party. Watkins had no standing to assert an Oath that he was an injured party nor does he have the authority to assert the rights of any third party in an Affidavit.

5. Watkins, Thomson, Murray and several other unknown men, forcibly entered Plaintiff ^{Smith's} ~~Robert's~~ home on the tenth day of the seventh month of this year of our Lord two thousand and twelve which is the first element of Aggravated Burglary of a Habitat. They maliciously and systematically stole Plaintiff's computers as they forcibly made us watch them rob us of our property. Watkins provided the alleged "search and seizure" warrant, which was two pages long, (Attached and incorporated as Exhibit A1), without a search warrant affidavit, and stated simply that Watkins, Thomson and Murray could take "ANY" and "ALL" computers in Plaintiff's home. The Texas Constitution states clearly that no man should bear the fruits of his criminal actions and yet Watkins is the one who filed for the alleged "search and seizure" warrant then Watkins was the one who came to Plaintiff's home and committed Aggravated Burglary of a Habitat as well as theft of property and Trespass in order to take Plaintiff's property for the specific purpose of "seizing" Plaintiff's property so that it could be sold at a later date for a Profit. "An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never passed." Norton v. Shelby County, 118 US 425

6. Watkins, Thomson, Murray and the other unknown men who were unlawfully in Plaintiff's home on the tenth day of the seventh month of this year of our Lord two thousand and twelve, cannot claim any immunities afforded to actual officers of the law who take their Oaths seriously and uphold the Constitution of the Plaintiff State of Texas and do not commit criminal acts while using the disguise of being a "police officer", "judge", "prosecutor", or any other Title of Nobility which is unlawful and repugnant to the Texas Constitution as well as the peace and dignity of the Plaintiff State of Texas.

7. Watkins, Thomson, and Murray's assault on Plaintiff ^{Smith's} Robert's home lasted for approximately an hour in which time, Defendants Watkins, Thomson and Murray, stole Seven computers, two External Hard Drives and several disks all valued at approximately Seven Thousand Dollars.

8. While at Plaintiff ^{Smith's} Robert's home, Watkins forced Plaintiff ^{Smith} Robert to his car, where Defendant Watkins pulled out a laptop and attempted to show me images of Child Pornography. Defendant Watkins explained to me that he and the other Defendants had many servers which had hundreds of thousands of images and videos of Child Pornography on them. Defendant Watkins also explained further that he kept these servers connected to "File Sharing" programs known as "Peer-to-Peer" software, so that people could potentially download child pornography directly from their servers. Defendant Watkins went on to explain that once an individual had downloaded child pornography from their servers, Defendant Watkins could see the "IP Addresses" which had downloaded child pornography from Defendants servers and they could get a "search and seizure" warrant to go out and seize all of the computers in a "suspects" home. Defendant Watkins then pulled out a digital voice recorded and pressed record and set it on his dash board. Defendant Watkins then attempted to ask me questions regarding the child pornography on his laptop which he had pulled out. I replied, "I have nothing to say to you sicko" at which point, Defendant Watkins concluded the alleged "interview."

9. On or about the thirteenth day of the seventh month of this year of our Lord two thousand and twelve, I filed a verified sworn criminal complaint which stated Defendant Watkins crime of Possession of Child Pornography with the Tarrant County District Attorney's office. My mom, Bobbie Weast, also filed a verified sworn criminal affidavit against Defendant Watkins after he admitted to her that he was in possession of hundreds of thousands of images and videos of Child Pornography to her.

10. On or about the twentieth day of the seventh month of this year of our Lord two thousand and twelve, both I and my mom, Bobbie Weast, received phone calls from an agent (Hereinafter "IA Agent") of the Internal Affairs Division (his name which I do not recall at this time), of the Fort Worth Police Department. The IA Agent requested to meet with me in person to which I declined after he informed me he had been handed my criminal complaint by the District Attorney. I informed the IA Agent that he was in receipt of a Government Document which is spelled out as a felony in Texas when said document is a Charging Instrument which was in the possession of the District Attorney. Article 2.03 of the Texas

Code of Criminal Procedure states clearly that District Attorney, upon receipt of a verified sworn criminal complaint, shall reduce the complaint to an information and submit it to a grand jury.

11. On or about the twentieth day of the seventh month of this year of our Lord two thousand and twelve, my mom, Bobbie Weast, received a phone call from Defendant Watkins. Defendant Watkins threatened Witness Bobbie Weast that due to the criminal charges which she and Plaintiff ^{Smith} Robert had filed against him, he would not be returning our computers. He also stated that he would make sure Witness Bobbie Weast would never babysit kids again. Defendant Watkins also stated that he would make sure that Plaintiff ^{Smith} Robert went to jail for a VERY LONG time.

12. On or about the sixteenth day of the eighth month of this year of our Lord two thousand twelve, I was kidnapped by two armed men claiming to have an alleged "arrest warrant" for one CHRISTOPHER ROBERT WEAST. The names of these men are, DJ Scott #2388 (Hereinafter "Scott") and M. King #3822 (Hereinafter "King"). Defendant Scott and King asked me if I was CHRISTOPHER ROBERT WEAST to which I did not respond because I was on the phone, laying down on the swing in our families front yard. I never answered to the name CHRISTOPHER ROBERT WEAST because that is not my lawful name therefore I am not CHRISTOPHER ROBERT WEAST. I am ^{James Joseph Smith} Chris Robert yet I was placed in handcuffs, searched and placed in a pickup truck. Defendants Scott and King, after committing aggravated kidnapping of Plaintiff ^{Smith} Robert, a Natural Person, drove Plaintiff ^{Smith} Robert to the Fort Worth City Jail located on Weatherford Street in downtown Fort Worth where they handed me off to other unknown co-conspirators who continued the Aggravated Kidnapping of Plaintiff ^{Smith} Robert, a Natural Person.

13. After being held in a cell for approximately seven hours with approximately eight to twelve other men, Plaintiff ^{Smith} Robert was taken in front of an alleged magistrate who could have ended the unlawful kidnapping of Plaintiff ^{Smith} Robert but instead chose to continue the aggravated kidnapping and set a ransom of Five Thousand Dollars in order for me to be released from my kidnappers.

14. Plaintiff ^{Smith} Robert believed that Defendants Watkins, Thomson, Murray, Scott and King and the other unidentified individuals who had kidnapped Plaintiff ^{Smith} Robert were the only Co-Conspirators in this elaborate conspiracy but that is not the case. Plaintiff ^{Smith} Robert has now discovered that Defendant Watkins personally knows Defendant Saleem who has joined in Defendant Watkins conspiracy and Racketeering scheme. When Watkins could not use the corporate STATE OF TEXAS in order to maintain possession of Plaintiff ^{Smith} Robert's property, Defendant Watkins went to Defendant Saleem and enlisted her help with the conspiracy to defraud Plaintiff ^{Smith} Robert out of his property. Saleem alleges she is a United States Prosecutor but by violating my First, Fifth, Sixth, and Tenth Amendment rights under the Constitution of the United States of America as well as Plaintiff ^{Smith} Robert's Article 1, Section 1, Section 2,

Section 3, Section 3a, Section 8, Section 9, and Section 11 rights of the Texas Constitution. Saleem has effectively waived all immunity to prosecution by Plaintiff's ^{Smith} Robert and State of Texas for the multitude of crimes she has either been directly involved or has conspired to bring to fruition. "Where one duty to disclose facts to another fails to do so, and the other is injured thereby, an action in tort lies against party whose failure to perform his duty caused injury." *Regan v. First Nat. Bank*, 101 P.2d 214, 55 Ariz. 320 (Ariz. 1940); "Officers of the court have no immunity, when violating a Constitutional right, from liability for they are deemed to know the law." *Owens v. City of Independence*, 100 S. Ct. 1398; "Where rights secured by the constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda v. Arizona*, 384 US 436

15. Saleem has been using her alleged "Official Title" to exact her crimes against Plaintiff ^{Smith} Robert. Saleem has made accusations publicly that Plaintiff ^{Smith} Robert was knowingly in "Possession of Child Pornography." Saleem has committed Defamation of Plaintiff ^{Smith's} Robert's Character without a any evidence of how or who downloaded the alleged images of child pornography. Saleem has a duty to know that the true crime is the people who either made such images and videos and/or touched those poor helpless and defenseless children in said alleged images and videos. Saleem knows full well that Plaintiff ^{Smith} Robert did not "create" nor "touch" nor "harm or injure" any of the children in the alleged images and videos for which she is alleging that I "knowingly" possessed. Plaintiff ^{Smith} Robert is just as innocent as a man/woman driving a rental car who does not know that there is two pounds of Marijuana stashed up under the gas tank. Secondly, for comparison only, a Natural Person cannot have committed a crime simply by possessing anything even if said Natural Person had knowledge of the possession because simply possessing an item does not injure another Natural Person therefore no crime exists. The fact that Saleem is trying to enforce a "Act of Congress" does not spare her of her responsibility of knowing that Article III, Section 2 clear states that in order to have standing in a Federal Court, the Plaintiff must assert an injury in fact and said injury must be fairly traceable to the person who caused the alleged injury. Simply being in possession of an object does not cause an injury nor does it rise to the level of being fairly traceable to the cause of an injury which makes any Act of Congress which states that Possession is a crime is Null and Void due to the fact that said Act of Congress is repugnant to the constitution of the United States of America.

16. Saleem has trespassed on the Sovereign Plaintiff State of Texas' soil in order to claim that a "federal crime" was committed when in fact, even if a crime had been committed which it did not, said alleged crime would have been committed within the Sovereign territory of the Plaintiff State of Texas known as the Republic of Texas. Saleem knowingly trespassed on Plaintiff ^{Smith's} Robert's Sovereign Rights as part of "We the People" as written in the Preamble of the Plaintiff State of Texas' Constitution. Saleem first enlisted the help of Terry Means, Jeffery Cureton and Angela Saad but after Plaintiff ^{Smith} Robert had the unlawfully retained Angela Saad removed as his alleged counsel, and Means recused himself from this alleged case, Saleem had to enlist the help of one, McBryde in order to continue the conspiracy and Racketeering scheme.

17. In an alleged hearing held on the twenty eighth day of the fifth month of this year of our Lord, McBryde blatantly denied Plaintiff ^{Smith} Robert his First Amendment right under the United States of America Constitution as well as Plaintiff ^{Smith} Robert's right under the Republic of Texas Constitution, Article 1, Section 8, Freedom of Speech and Press; Libel, to speak open and freely on and for the record. McBryde also denied Plaintiff ^{Smith} Robert the right to make his record as McBryde kept interrupting Plaintiff ^{Smith} Robert and had guards physically threatening Plaintiff ^{Smith} Robert during the course of the alleged Hearing. Defendant McBryde is no more a judge than Plaintiff ^{Smith} Robert is die to the multiple crimes committed on Sovereign Texas soil as well as the countless violations of his Oath of Office.

18. Watkins is the apparent leader of this particular Conspiracy and Racketeering syndicate which promotes Child Pornography as well as the Production of Child Pornography. Watkins uses his servers which are connected to the internet via "File Sharing" programs as well as "Peer-to-Peer" software to promote Child Pornography via the internet. Defendant Watkins then uses his crimes to secure unlawful "search and seizure" warrants which he and his gang of Co-Conspirators use to commit Aggravated Burglary of a Habitat. Defendant Watkins and his co-conspirators accomplishes this by nothing more than what is best described as "Hearsay" since Defendant Watkins is actually eye witnesses the actual Natural Person who downloads the child pornography. Then there is the simple fact that simply being in possession of an object cannot make a Natural Person guilty of a "crime." In order for a "crime" to be committed, there must be corpus delecti as well as an injury in fact.

19. Defendant Watkins, Thomson, Murray, Scott, King, Saleem, McBryde, Means, Cureton and Saad are all foreigners in the Sovereign Republic of Texas as well as in the Sovereign United States of America which derives its power from the PEOPLE as stated in the preamble, "We the People." All of these co-conspirators have usurped their positions, taken on titles of nobility which are outlawed here in the United States of America by the Constitution. Almost all of these co-conspirators is a member of a private club known as the Bar Association.

20. Defendant Means, Cureton and McBryde are all members of the private club which is known by the name of BAR Association. Means, Cureton and McBryde all violated my right to counsel of my choice under the United States Constitution. The constitution does not say that Plaintiff ^{Smith} Robert is entitled to a Bar Member Lawyer or Attorney of my choice. The United States of America constitution clearly states that I have the right to COUNSEL of my choice which clearly means to whoever I so choose as the Natural Person I feel will best assist me in my defense against these foreigners.

21. Defendants Means, Cureton, McBryde, Saleem, and Gonzalez have all conspired together in order to shield Randy Watkins from prosecution of his multiple crimes under the laws of the Plaintiff State of Texas. Each one of the Defendants listed here has used their office to personally attack me, violate my rights under the Constitution of the Plaintiff State of Texas as well as under the United States of America Constitution which is Perjury of Oath to their alleged offices a violation that both the United States Constitution as well as the Constitution of Plaintiff State of Texas clearly states, when an officer violates their Oath of Office, that office is considered vacated immediately. "Law and court procedures that are "fair on their faces" but administered "with an evil eye or a heavy hand" was discriminatory and violates the equal protection clause of the Fourteenth Amendment. Yick Wo v. Hopkins, 118 US 356 (1886); "Loss of First Amendment Freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury. Though First Amendment rights are not absolute, they may be curtailed only by interests of vital importance, the burden of proving which rests on their government." Elrod v. Burns, 96 S. Ct. 2673, 427 US 347 (1976).

James Joseph Smith
WHEREFORE, ~~Chris Robert~~ and State of Texas Pray for relief as follows:

1. An order immediately terminating the unlawful confinement of ~~Chris Robert~~ at the Federal Corrections Institution located in Fort Worth as well as terminating all unlawful proceedings against ~~Chris Robert~~ under the name of CHRISTOPHER ROBERT WEAST.
2. Dismissal of all warrants, petitions and orders relating to ~~Chris Robert~~ and/or CHRISTOPHER ROBERT WEAST.
3. General Damages in the amount of \$10,000,000.
4. Special Damages in the amount of \$1,000,000.
5. Treble Damages in the amount of \$7,000,000.
6. Court costs and all reasonable attorney fees at trial and in the appellate courts, together with all costs of investigation and litigation reasonably incurred by Plaintiffs herein.

ve damages in the amount of \$5,000,000

ereby swear before God that all statements are truthful, sworn testimony, as set forth herein.

I have hereupon set my hand this thirtieth day of the fifth month of this year of our Lord two thousand and fourteen.

James Joseph Smith
~~Chris Robert~~, sui juris